

How to Apply for an E Visa (Effective February 1, 2016)

****Please note that the new application requirements specified below apply only to E visa interviews scheduled to take place on or after February 22, 2016. They do not apply to E visa interviews scheduled to take place before February 22, 2016.****

Please follow the steps below to make an appointment:

Step 1: Complete the [DS-160 Nonimmigrant Visa Application form](#).

Step 2: Pay the non-refundable visa application fee (keep your receipt!) and schedule your interview here: <https://ais.usvisa-info.com/es-co/niv>.

Please note that there is a three week (21 calendar day) wait for an E visa interview, starting from the date an interview is first requested. For example, if you visit the website to schedule an interview on February 1, 2016, the first available interview date will be on or after February 22, 2016.

You will also be directed to schedule an appointment for your biometric information to be taken at the Applicant Service Center (ASC) in Bogota or Medellin, and to choose your passport pick-up location through the site.

Step 3: Email your complete E visa application package to NIVBogota@state.gov within 1 week (7 calendar days) of scheduling your appointment. For example, if you schedule an interview on February 1, 2016 for February 22, 2016, U.S. Embassy Bogota must receive your complete application package via email no later than February 8, 2016.

Please carefully note the following:

- The documents required for E-1 and E-2 visa applications, and the order in which they must be organized, are specified below. Please follow these instructions exactly, or your application package will not be accepted.
- Electronic submission is the only acceptable method to send documents in support of your E visa application. Please use the following e-mail subject line: Surname, Given Name, Business Name, E-1 (or E-2) Visa Application
- The entire E visa package, submitted electronically, must not exceed 100 single-sided pages.
- Please limit attachments to 5 MB; you may send “zipped” files, multiple attachments, or multiple messages as required. Do NOT send “linked” files, as we cannot access or open these.

- Failure to submit your complete application package within 7 calendar days of scheduling your appointment may result in the cancellation of your appointment.

Step 4: Once your complete package has been received, you will receive an email from U.S. Embassy Bogota confirming your appointment. Please arrive at U.S. Embassy Bogota on the date and time of your visa interview. Please bring a printed copy of your appointment letter, all current passports, and your visa fee receipt.

Required Document List for E-1 Applications

- Please email the following documents to NIVBogota@state.gov, with the following subject line: Surname, Given Name, Business Name, E-1 Visa Application
- Please organize the documents as indicated below. Each tab should be a separate attachment, and should be labeled accordingly. The total page limit (for all attachments combined) is 100 single spaced pages.
- Please pay careful attention to the size of individual attachments—no single attachment should be bigger than 5 MB.
- If necessary, you may send the documents in more than one email. If so, please indicate the total number of emails in the subject line, i.e. Surname, Given Name, Business Name, E-1 Visa Application (1 of 2), etc.

<p>Tab A: Cover Letter</p>	<p>This attachment should include a cover letter describing the company and the nature of its business. This letter must address all requirements for E visa eligibility as defined by the Foreign Affairs Manual (FAM) and U.S. law. The letter should also address the following points in detail:</p> <ol style="list-style-type: none"> 1) that the enterprise is currently operational; 2) that the trade in question is substantial and ongoing, as defined in 9 FAM 402.9-5(C); <ul style="list-style-type: none"> • 3) that the trade is occurring principally between the United States and the treaty country as required by 9 FAM 402.9-5(D); and • 4) that the applicant, if an employee, will fill an executive/supervisory role or possesses skills essential to the firm's operations as required by 9 FAM 402.9-7. <p>The letter should include a paragraph concerning the applicant's intent to depart U.S. when E status ends. If the company has previously qualified for E visa status, please also include the date of the initial visa issuance.</p>
<p>Tab B: Administrative Documents</p>	<p>This attachment should include:</p> <ol style="list-style-type: none"> 1) A printed confirmation page from the Online Nonimmigrant Visa Application DS-160, and one 5X5 cm photo taken within the last six months with a white background. <u>Please include a confirmation page and photo for each applicant or accompanying family member.</u> 2) Proof of the marital status of the principal applicant, if applicable,

	<p>and proof of family relationships (i.e. marriage certificate and birth certificates for spouse and children, if accompanying).</p> <ol style="list-style-type: none"> 3) One copy of Form DS-156E. Contact information must include a valid e-mail address. Please ensure that the form is filled out in its entirety. 4) A photocopy of the biographical page of the passport of each applicant (<u>only</u> the page with the name and photo). Please include copies of any approved change of status notices (Form I-797). Please bring your original passport and any prior ones containing U.S. visas with you at the time of the interview. 5) Form G-28I or G-28 "Notice of Entry of Appearance as Attorney or Representative" (only if applicable), including contact e-mail address and phone number. <u>Please note that applicants are not required to use the services of an attorney or professional representative</u>, but that this form is required in order for U.S. Embassy Bogota to communicate directly with any such representatives.
Tab C: Company Structure/Ownership	<p>This attachment should include proof of treaty country ownership (at least 50%) and controlling interest in the enterprise. Examples for corporations include: articles of incorporation, stock certificates and ledgers, Secretary of State certificates, or related documents.</p> <p>Examples for private companies include: articles of organization/formation, state registration of ownership, or related documents.</p> <p>If the firm has several owners or subsidiaries, or if the chain of ownership includes intermediary entities, please include the following:</p> <ol style="list-style-type: none"> 1) An organization chart clearly indicating the full ownership structure of the entity; 2) Legal proof of ownership within a respective chain; 3) Photocopies of the biodata page of the passports and the ownership percentage of each unit holder of the definitive parent company; and 4) If the firm is an incorporated entity outside of the United States, a chart of the ownership of the enterprise and a certificate of existence/registration from the jurisdiction where the company is incorporated.
Tab D: Evidence of Substantial Trade	<p>This attachment should include evidence of substantial trade as defined by 9 FAM 402.9-5(C). This should include a clear statement of the total volume of trade over the last twelve months, as well as the number and date of transactions over the last twelve months. Supporting evidence may include bills of lading, invoices, and purchase orders.</p> <p>If applicable, applicants should also include the first two pages of the entity's U.S. corporate tax returns for the three most recent fiscal years.</p>
Tab E:	<p>This attachment should include evidence that at least fifty percent of the trade</p>

Evidence of Trade with the U.S.	<p>is between the U.S. and the treaty country as defined by 9 FAM 402.9-5(D). Bills of lading are generally preferred, but U.S. customs invoices and/or purchase receipts may also be submitted, as well as a letter from a company officer certifying the percentage breakdown of company trade between Colombia and the United States, including both imports and exports. Additional explanatory remarks and a sample Volume of Trade Report (courtesy of our colleagues at U.S. Embassy Seoul) can be found here.</p>
<p>Tab F: Applicant Qualifications</p>	<p>This attachment should include:</p> <ol style="list-style-type: none"> 1) Applicant's resumé, including all relevant educational and work experience; 2) A company organizational chart, including: <ol style="list-style-type: none"> a. Applicant's position in company; b. Direct subordinates of principal applicant, if any; and c. Clearly identifying any person being replaced <p>For applicants who have previously worked in the U.S., please provide pages 1-2 of IRS Form 1040 for the three most recent fiscal years.</p> <p>If an applicant is applying as an employee with Executive and Supervisory Responsibility, please provide evidence that he or she meets the criteria outlined in 9 FAM 402.9-7(B).</p> <p>If the applicant is applying as an essential employee, evidence that employee has essential skills that the enterprise urgently needs, as well as the projected duration of this essentiality. You should include relevant diplomas, job training certificates or letters from previous employers in this section. You may also wish to explain why the enterprise was unable to find a qualified U.S. citizen or Legal Permanent Resident to fill the position. You should address the criteria contained in 9 FAM 402.9-7(C).</p>

Required Document List for E-2 Applications

- Please email the following documents to NIVBogota@state.gov, with the following subject line: Surname, Given Name, Business Name, E-2 Visa Application
- Please organize the documents as indicated below. Each tab should be a separate attachment, and should be labeled accordingly. The total page limit (for all attachments combined) is 100 single spaced pages.
- Please pay careful attention to the size of individual attachments—no single attachment should be bigger than 5 MB.
- If necessary, you may send the documents in more than one email. If so, please indicate the total number of emails in the subject line, i.e. Surname, Given Name, Business Name, E-2 Visa Application (1 of 2), etc.

Tab A:	This attachment should include a cover letter describing the company and
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Cover Letter	<p>the nature of its business. This letter must address all requirements for E visa eligibility as defined by the Foreign Affairs Manual and U.S. law.</p> <p>The letter should also address the following specific points:</p> <ol style="list-style-type: none"> 1) that the investor has invested or is actively in the process of investing, as per 9 FAM 402.9-6(B); 2) that the enterprise is currently running or will be running in the immediate future, as per 9 FAM 402.9-6(C); 3) that the investment is substantial, 9 FAM 402.9-6(D); 4) that the investment is more than a marginal one solely for earning a living, 9 FAM 402.9-6(E); and 5) that the applicant is in a position to develop and direct the enterprise as per 9 FAM 402.9-6(F); or, if an employee, will occupy an executive/supervisory position or possesses skills essential to the firm's operations in the United States; and 6) that the applicant intends to depart the United States when E-2 status terminates. <p>If the company has previously qualified for E visa status, please also include the date of the initial visa issuance.</p>
<p>Tab B: Administrative Documents</p>	<p>This attachment should include:</p> <ol style="list-style-type: none"> 1) A printed confirmation page from the Online Nonimmigrant Visa Application DS-160, and one 5X5 cm photo taken within the last six months with a white background. <u>Please include a confirmation page and photo for each applicant or accompanying family member.</u> 2) Proof of the marital status of the principal applicant, if applicable, and proof of family relationships (i.e. marriage certificate and birth certificates for spouse and children, if accompanying). 3) One copy of Form DS-156E. Contact information must include a valid e-mail address. Please ensure that the form is filled out in its entirety. 4) A photocopy of the biographical page of the passport of each applicant (<u>only</u> the page with the name and photo). Please include copies of any approved change of status notices (Form I-797). Please bring your original passport and any prior ones containing U.S. visas with you at the time of the interview. 5) Form G-28I or G-28 "Notice of Entry of Appearance as Attorney or Representative" (only if applicable), including contact e-mail address and phone number. <u>Please note that applicants are not required to use the services of an attorney or professional representative</u>, but that this form is required in order for U.S. Embassy Bogota to communicate directly with any such representatives.
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<p>Company Structure/Ownership</p>	<p>50%) and controlling interest in the enterprise. Examples for corporations include: articles of incorporation, stock certificates and ledgers, Secretary of State certificates, or related documents.</p> <p>Examples for private companies include: articles of organization/formation, state registration of ownership, or related documents.</p> <p>If the firm has several owners or subsidiaries, or if the chain of ownership includes intermediary entities, please include the following:</p> <ol style="list-style-type: none"> 5) An organization chart clearly indicating the full ownership structure of the entity; 6) Legal proof of ownership within a respective chain; 7) Photocopies of the biodata page of the passports and the ownership percentage of each unit holder of the definitive parent company; and 8) If the firm is an incorporated entity outside of the U.S., a chart of the ownership of the enterprise and a certificate of existence/registration from the jurisdiction where the company is incorporated.
<p>Tab D: Proof of Investment</p>	<p>This attachment should include proof that the funds have been invested or that the investor is actively in the process of investing as defined by 9 FAM 402.9-6(B).</p> <p><u>It is important to provide proof of actual purchases and/or signed contracts and leases related to the enterprise, not just wire transfers to a U.S. account.</u> The application should also clearly demonstrate the source of funds being expended.</p> <p>Proof may be demonstrated by the following (non-comprehensive) list of documents:</p> <ol style="list-style-type: none"> 1) Escrow documents 2) Wire transfers 3) Lease contracts (must include lease length and start/end dates, property address and size, rental amount, landlord and tenant names, and all required signatures) 4) Sales invoices 5) Purchasing agreements (must include buyer and seller names, date of agreement, purchase amount, special conditions) 6) Franchise agreement (entire agreement required).
<p>Tab E: Proof that Enterprise Operates</p>	<p>This attachment should include proof that the enterprise is currently running or will open its doors imminently as defined by 9 FAM 402.9-6(C). Applicants must also include financial projections for the next 5 years, which may be included within a business plan.</p>

	<p>Supporting proof may include, but is not limited to:</p> <ol style="list-style-type: none"> 1) Business licenses 2) Special permits (food, alcohol, etc.) 3) Utility bills (electrical, water, etc.) 4) Bank statements 5) Sales contracts / invoices
Tab F: Proof of Substantial Investment	<p>This attachment should include evidence that investment is substantial as defined by 9 FAM 402.9-6(D).</p>
Tab G: Proof that Investment Not Marginal	<p>This attachment should include evidence that enterprise is more than marginal as defined by 9 FAM 402.9-6(E).</p> <p>All applicants should also include a business plan for the next five years prepared by a certified C.P.A., including projected expenses and profits. For all new businesses, the plan must verify the capacity of the enterprise to realize a profit within a maximum of five years.</p> <p>If the enterprise is already in existence, pages 1-2 of the appropriate federal tax forms for the most recent year may also be submitted.</p>
Tab H: Applicant Qualifications	<p>This attachment should include:</p> <ol style="list-style-type: none"> 1) Applicant's resumé, including all relevant educational and work experience; 2) A company organizational chart, including: <ol style="list-style-type: none"> d. Applicant's position in company; e. Direct subordinates of principal applicant, if any; and f. Clearly identifying any person being replaced <p>For applicants who have previously worked in the U.S., please provide pages 1-2 of IRS Form 1040 for the three most recent fiscal years.</p> <p>If an applicant is applying as an employee with Executive and Supervisory Responsibility, please provide evidence that he or she meets the criteria outlined in 9 FAM 402.9-7(B).</p> <p>If the applicant is applying an essential employee, evidence that employee has essential skills that the enterprise urgently needs, as well as the projected duration of this essentiality. You should include relevant diplomas, job training certificates or letters from previous employers in this section. You may also wish to explain why the enterprise was unable to find a qualified U.S. citizen or Legal Permanent Resident to fill the position. You should address the criteria contained in 9 FAM 402.9-7(C).</p>

E-1 and E-2 Dependent Applications

If you are the spouse or child of an E-1 or E-2 visa holder who received their E visa in the past six months, please email only proof of your relationship to the primary visa holder (i.e. marriage or birth certificates) and a copy of the principal visa holder's E visa to NIVBogota@state.gov. However, if the principal investor or trader converted to E status while in the U.S. (for example, if he or she entered the U.S. on a B1/B2 visa and later received E status authorization), please also submit a photocopy of Form I-797 (Notice of Action) approving the change of status.

If the principal E visa holder received his or her visa more than 6 months ago, please also provide evidence that the business is currently operating. Acceptable documentation may include, but is not limited to, monthly bank statements, invoices, profit and loss statements, and tax documentation covering the period since the principal E visa was issued.